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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,267	02/26/2004	Kurt Businger	21204.0192US	9395
44966 7590 08/03/2010 SULLIVAN & WORCESTER LLP 1666 K Street NW Washington, DC 20006				
EXAMINER HSU, RYAN				
ART UNIT 3714		PAPER NUMBER		
NOTIFICATION DATE 08/03/2010		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

**Application No.**

10/789,267

**Applicant(s)**

BUSINGER ET AL.

**Examiner**

RYAN HSU

**Art Unit**

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-5 and 7-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5 and 7-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/GS/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

In response to the amendments filed on 8/11/2009, claims 1, 4-5, and 10 have been amended. Claims 18-22 are newly added. Claims 1, 3-5, 7-22 are pending in the current application.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 3, 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Smallegan et al. (US 5,492,380).**

3. Regarding claim 1, Smallegan et al. discloses a door handle assembly comprising a support plate having a front side and a back side, wherein an aperture (*see opening [30] of Fig. 2 and the related description thereof*) is disposed in the support plate (*see face plate [24] of Fig. 2 and the related description thereof*). Additionally, Smallegan discloses a handle (*see handle [36] of Fig. 2*) pivotably arranged on the front side of the support, wherein a pivot pin and a cam shaft (*see shaft [40], driver cam [46], h-shaped link [62]*) depend from the handle, and wherein the cam shaft depend from the handle, and wherein the cam shaft is arranged in the aperture and configured to arcuately translate about a pivot pin (*see col. 3: In 19-34, col. 3: In 45-56, col. 4: In 41-col. 5: In 12*). Furthermore, Smallegan discloses a cam follower disposed on the back side of the support plate that is direct coupled to the cam shaft so that a latch operably connected to the handle via the cam shaft and cam follower is configured to translate the force applied to the

handle to be transferred directly via the cam shaft and cam follower to move the latch (*see col. 4: ln 41-col. 5: ln 12, col. 6: ln 15-44*).

Regarding claim 3, Smallegan discloses a door handle comprising a retaining device configured to retain the handle in one of an open position and a closed position (*see col. 6: ln 15-43*).

Regarding claim 18, Smallegan discloses a door handle wherein the cam shaft is configured to arcuately translate from a first position to a second position within the aperture (*see col. 3: ln 45-58, col. 4: ln 1-25 and elements [48, 60, 62] of Fig. 2 and the related description thereof- the open and close position of the door assembly*).

Regarding claim 19, Smallegan discloses a door handle wherein the pivot pin and the cam shaft are laterally offset (*see element [48], [50], [52], [64], and [94] of Fig 2 and the related description thereof, col. 4: ln 41-col. 5: ln 12*).

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 4 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smallegan et al. as applied to claims above, and further in view of Smolarski (US Patent No. 6,062,616).**

6. Regarding claim 4, Smallegan et al. teach a door handle assembly comprising a support plate having a front side and a back side, wherein an aperture (*see opening [30] of Fig. 2 and the related description thereof*) is disposed in the support plate (*see face plate [24] of Fig. 2 and the related description thereof*). Additionally, Smallegan teach a handle (*see handle [36] of Fig. 2*) pivotably arranged on the front side of the support, wherein a pivot pin and a cam shaft (*see shaft [40], driver cam [46], h-shaped link [62]*) depend from the handle, and wherein the cam shaft depend from the handle, and wherein the cam shaft is arranged in the aperture and configured to arcuately translate about a pivot pin (*see col. 3: ln 19-34, col. 3: ln 45-56, col. 4: ln 41-col. 5: ln 12*). Furthermore, Smallegan teach a cam follower disposed on the back side of the support plate that is direct coupled to the cam shaft so that a latch operably connected to the handle via the cam shaft and cam follower is configured to translate the force applied to the handle to be transferred directly via the cam shaft and cam follower to move the latch (*see col. 4: ln 41-col. 5: ln 12, col. 6: ln 15-44*). However, Smallegan is silent with respect to an embodiment implementing a roll bearing assembly.

7. Smolarski teaches a roller bearing assembly depending from the handle (Figs. 1-3) configured to transfer force from the handle to a latch in order to move the latch (Col. 2, Lines 1-7). One would have been motivated to incorporate the teachings of a roller bearing assembly instead of the cam follower as taught in Mader as an old and well known alternative to translate the rotational motion of the handle into that of a linear motion to lift the latch at the time the invention was made. Incorporating the use of a roller bearing does not produce any unexpected result as the roller bearing provides a means for the motion of turning the handle to allow for the physical movement of the latch keeping a door in place.

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a roller bearing arrangement in the door handle, thus achieving the predictable result of providing the roller bearings commonly used for their durability, fluidity, and reduced friction in movements.

Regarding claim 20, Smallegan discloses a door handle assembly that is configured to arcuately translate from a first position to a second position within the aperture (*see col. 3: ln 48-58, col. 4: ln 1-25*).

**8. Claims 5, 7-17 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smallegan and Smolarski as applied to claims above, and further in view of Stockdale (US 2002/0032051 A1).**

9. Regarding claim 4, Smallegan et al. teach a door handle assembly comprising a support plate having a front side and a back side, wherein an aperture (*see opening [30] of Fig. 2 and the related description thereof*) is disposed in the support plate (*see face plate [24] of Fig. 2 and the related description thereof*). Additionally, Smallegan teach a handle (*see handle [36] of Fig. 2*) pivotably arranged on the front side of the support, wherein a pivot pin and a cam shaft (*see shaft [40], driver cam [46], h-shaped link [62]*) depend from the handle, and wherein the cam shaft depend from the handle, and wherein the cam shaft is arranged in the aperture and configured to arcuately translate about a pivot pin (*see col. 3: ln 19-34, col. 3: ln 45-56, col. 4: ln 41-col. 5: ln 12*). Furthermore, Smallegan teach a cam follower disposed on the back side of the support plate that is direct coupled to the cam shaft so that a latch operably connected to the handle via the cam shaft and cam follower is configured to translate the force applied to the handle to be transferred directly via the cam shaft and cam follower to move the latch (*see col. 4: ln 41-col. 5:*

*in 12, col. 6: in 15-44*). However, Smallegan is silent with respect to an embodiment implementing a roll bearing assembly.

10. Smolarski teaches a roller bearing assembly depending from the handle (Figs. 1-3) configured to transfer force from the handle to a latch in order to move the latch (Col. 2, Lines 1-7). One would have been motivated to incorporate the teachings of a roller bearing assembly instead of the cam follower as taught in Mader as an old and well known alternative to translate the rotational motion of the handle into that of a linear motion to lift the latch at the time the invention was made. Incorporating the use of a roller bearing does not produce any unexpected result as the roller bearing provides a means for the motion of turning the handle to allow for the physical movement of the latch keeping a door in place. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a roller bearing arrangement in the door handle, thus achieving the predictable result of providing the roller bearings commonly used for their durability, fluidity, and reduced friction in movements.

11. However, Smallegan and Smolarski are directed towards door assemblies and do not specifically teach the structural components of a gaming machine.

12. In a gaming machine patent, Stockdale teaches that gaming machine cabinets incorporate main doors which allow for the interior components of the gaming machine cabinet to be accessed. Stockdale teaches that gaming machine use any variety of locking and door assembly mechanisms to prevent unauthorized access to these components. Furthermore, Stockdale teaches that gaming machines comprise of a housing and may include a door movably attached to the housing wherein the door is secured by a latch disposed in the housing (*see Fig. 2 and the related description thereof*). One would be motivated to incorporate the teachings of Stockdale

with that of Smallegan and Smolarski to teach the specific structure of gaming machine components and the cabinet structure that is generally accepted in the gaming arts. Stockdale provides a teaching of the use of a door to access gaming machine components. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Stockdale with that of Smallegan and Smolarki for teaching the state of door assembly mechanisms at the time the invention was made for use with doors in gaming machines.

Regarding claims 7, 11, 15, Smallegan teach a retaining device configured to retain the handle in one of an open position and a closed position (*see col. 6: ln 15-43*).

Regarding claims 8-9, 12-13, 16-17, Stockdale teach a gaming terminal comprising electronic components disposed in the housing that are accessible by opening a door. The electronic components inside the gaming machine comprise at least one of a monitor, a processor, a gaming ticket printer, a money receptor, and a card reader (*see paragraph [0036-0037], [0042]*).

Regarding claim 21, Smallegan teach a cam shaft that is configured to arcuately translate from a first position to a second position within the aperture (*see col. 3: ln 48-58, col. 4: ln 1-25*).

Regarding claim 22, Smolarski teaches the implementation of a roll bearing assembly to arcuately translate from a first position to a second position within the aperture (*see col. 2: ln 7-34*).

***Response to Arguments***



13. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN HSU whose telephone number is (571)272-7148. The examiner can normally be reached on 9 :00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hotaling can be reached on (571)272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John M Hotaling II/  
Primary Examiner, Art Unit 3714

RH  
July 29, 2010